(71)

PROVISIONAL
For participants only

CERD/C/SR.942
7 August 1992

Original: ENGLISH

COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Forty-first session

PROVISIONAL SUMMARY RECORD OF THE 942nd MEETING

Held at the Palais des Nations, Geneva
on Wednesay 5 August, 1992, at 10 a.m.

Chairman: Mr. VALENCIA RODRIGUEZ

CONTENTS

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention (continued)

Tenth and eleventh periodic reports of Costa Rica (continued)

Fifth and sixth periodic reports of Bangladesh

Corrections to this record should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

GE.92-16902/4753B

The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 7) (continued)

Tenth and eleventh periodic reports of Costa Rica (CERD/C/197/Add.8) (continued)

At the invitation of the Chairman, Mr. Rhenan Segura and Mr. Vernor Muñoz (Costa Rica) took places at the Committee table.

Mr. AHMADU said the report of Costa Rica was to be applauded, particularly the sections devoted to the Constitution and to minorities. He believed, however, that the situation in Costa Rica was far from perfect, especially where its sociological aspects were concerned. His main preoccupation was the degree to which the black population, in particular, had been integrated and could become involved in decision-making and the extent to which it had access to occupations such as the Civil Guard. He would also like to know whether Roman Catholicism was the only religion tolerated in the country. If so, he feared that discrimination might be felt by persons of other faiths.

Mr. WOLFRUM said that the human rights situation in Costa Rica was, in general, to be commended, especially since the introduction of constitutional reform. However, he feared that the human rights situation was less satisfactory with regard to the indigenous population.

The report stated that there were 19,050 indigenous persons in Costa Rica but he believed the figure was nearer 30,000, although, in the absence of a census, a realistic estimate was difficult. He was concerned that, until 1991, members of the Indian population had been unable to obtain identity cards, which in turn denied them the possibility of obtaining passports and, without passports, they could not own or purchase land. The situation had changed following legislative measures taken in 1991 but he would like to know whether the entire indigenous population had now been registered for identity cards, and why the process had taken so long. Although the legal situation had improved, land acquisition remained a major problem. He was aware that the Government had provided for reservations, but information was needed on their status. He was not sure that the Government's measures fully met the requirements of the indigenous population. For example, the National Indigenous Affairs Commission had proved unacceptable to the indigenous

population, being viewed as an adversary. In conclusion, while the legal, economic and social situation of Costa Ricans in general was satisfactory, that of the indigenous population needed to be improved.

Mr. van BOVEN said Costa Rica was to be congratulated on accepting its political responsibilities in the region and welcoming a large number of refugees who had fled violence in neighbouring countries. It had continued its peace efforts in the region, had a good human rights record and had been an early signatory to the International Convention on the Elimination of All Forms of Racial Discrimination. It had submitted regular reports but he regretted that they had mainly contained static facts rather than information on trends and developments. Furthermore, the position of indigenous peoples was not adequately covered in the latest report. Whilst details were given of civil and political rights, economic, social and cultural rights were hardly mentioned. With reference to paragraph 110 of the report, it was not clear which of the ILO Conventions had been ratified by Costa Rica, since the Indigenous and Tribal Populations Convention, 1957 (No. 107) had subsequently been revised in 1989. According to paragraph 111 of the report, the black population was "fully integrated in the nation's political and economic development", but he would like to know whether the black population played a significant role in positions of authority in the country and how the term "fully integrated" was to be interpreted. Although Costa Rica had made a declaration under article 14 of the Convention, he was not sure how far the population, indigenous and otherwise, was aware of the opportunities offered under the article, and indeed, how far the Convention itself was known.

Mr. ABOUL-NASR inquired what the status of reservations was, who owned such areas and whether the indigenous populations were forced to live there. He also wished to know whether the indigenous population had been consulted before the Costa Rican Petroleum Refining Company (RECOPE) had entered its region and drilled for two years.

Mr. DIACONU thought that there was great potential for discrimination in Costa Rica due to the presence in its territory of both immigrants and an indigenous population. He would like further information on the access of indigenous persons to national institutions. The illiteracy rate in Costa Rica, which, according to the report, was 3 per cent, was a considerable achievement, but he believed the rate among indigenous persons was nearer 75-80 per cent. He would like to know why such a discrepancy existed and what measures had been taken to remedy the situation.

Mr. RHENAN SEGURA (Costa Rica), referring to the large number of requests for statistics, said he recognized that statistics were useful but thought that they did not always give a complete picture of a situation. The figure of 25,108 given in paragraph 67 for the indigenous population inhabiting reservations could be explained by the fact that reservations were also inhabited by persons who were not, or not fully, Indian, due to mixed marriages, for example. The main problem facing Indians on reservations was health. Whilst 96 per cent of the population in general had access to health services, problems arose on the reservations because of their remote location, difficulties of access and the conflict between the indigenous population's traditional medicine and acceptance of other methods and treatment. However, Costa Rica had established nutritional programmes, was encouraging preventive medicine and concentrating on combating cholera epidemics.

He recognized that the indigenous population also had problems with regard to education. The reservations lacked teachers, teaching materials and, in particular, parallel texts. There was also conflict with regard to the very principle of teaching Spanish because of fears that the indigenous population might lose its cultural identity. The Government was trying to ensure that education was provided in both Spanish and local languages.

Before replying to the questions raised concerning land ownership and mining activities, he would like to clarify the meaning of the term "reservation", a term which he personally disliked, but used for want of a better alternative. Some 40 years earlier, the population of Costa Rica had been concentrated in the central area and around the capital, but gradually agricultural colonization had spread outwards into areas inhabited by indigenous groups. That process had been facilitated by the absence of legal entitlements to the land concerned, as well as by internal differences between the indigenous communities, which made them powerless to resist the invasion. In such circumstances, there was clearly a need to set up reservations, which would make possible a communal system of land ownership on a permanent basis. The first attempt to establish a system of reservations had been in 1945: although well-intentioned, it had not been supported by legislation, and suffered from many deficiencies. Eventually laws had been passed to ensure that the system operated on a sound basis.

To some, the term "reservation" might suggest a kind of concentration camp, or an open-air museum where tourists could come to view protected species. That was far from being the case. In Costa Rica, reservations were areas of land that had been handed over, inalienably, to the indigenous community; the areas concerned appeared on maps, and were entered in public land ownership records. On the reservation, each family had its own holding, and could only sell that holding to other Indians; that requirement was in order to avoid loss of commonly-owned property through land speculation. The system had been successful in putting an end to the constant encroachment on the indigenous territories and to the inevitable retreat of their populations. It ensured that the Indians enjoyed the same rights to land and property as all other citizens of the country.

On the question of mining activities, the Legislative Assembly was responsible for granting mining concessions in the reservations: as was pointed out in the report, all indigenous population groups were represented in the Assembly. Concerning oil prospecting, it had once been thought that oil was to be found in one reservation, and concessions had been granted to a national oil company: unfortunately, after exploration, which had caused serious environmental damage, none had been found. He stressed that the problem concerned only one of the many reservations in the country. Finally, two experimental projects had recently been launched by the Electricity Institute of Costa Rica to bring electricity to indigenous populations in the reservations through the use of solar power.

On the question of freedom of movement, indigenous peoples were free to travel wherever they wished. They were legally required to give notice of their departure from a reservation, not in order to restrict their freedom of movement, but simply in order to protect the system of collectively-owned property.

Mrs. Sadiq Ali had raised the question of identity documents in connection with the Guaymis. The Guaymis were not in fact the oldest inhabitants of the country: they were a nomadic tribe living on the frontier between Panama and Costa Rica, an area which until 1942 had been completely wild. The Guaymis were traders, and moved from one country to the other according to which seemed to offer the best prospects for trade. Legislation had been drafted with a view to providing the tribe with identity documents: it should be realized that other indigenous groups already possessed identity

documents, and in addition were free to apply for passports should they so wish. The Guaymis had simply been asked to decide whether they preferred to settle in Costa Rica or in Panama, and the statement that they had had to pay $43, or any other sum, to obtain a residence permanent was quite untrue. Bilateral agreements had been concluded between Panama and Costa Rica regulating the question of the Guaymi people.

Neither prostitution nor alcoholism were problems specific to the indigenous populations of Costa Rica, except to the extent that they were part of the more general social problem of the manipulation and abuses inevitably suffered by disadvantaged sectors of the population, whether indigenous, black, mixed race or white. Nor was there any serious drug problem among such groups. He could not for the present provide any statistics of suicide or delinquency rates among indigenous peoples, and no figures were available regarding the percentage of black, indigenous or mixed race groups among the prison population.

Indigenous peoples enjoyed the same constitutional freedoms and guarantees as other citizens. As in most developing countries, the social hierarchy was based on economic rather than on racial criteria.

In reply to the question on infrastructure, it was true that in the reservations such facilities as roads, schools and hospitals, not to mention supermarkets, were noticeably lacking. Although an infrastructure was gradually being created, it was still in no way comparable to that existing in more developed parts of the country.

Mr. de Gouttes had raised the question of the mobility of the black population. It was true that before 1948 black persons had not been allowed into the central part of the country, but after the revolutionary government had come to power those restrictions had been abolished. Today, the black population enjoyed unrestricted freedom of movement throughout the country.

Attention had been drawn to the contradiction between the statement in paragraph 111 of the report that the black population was fully integrated in the nation's political and economic development and the statement that that population was concentrated on the Atlantic side of the country. He stressed that the Atlantic region was an important area, with a well developed infrastructure; it contained the country's main port, and was also an important-banana producing region.

On the problem of refugees, the report he had submitted a year ago to the Committee on Economic, Social and Cultural Rights had given extensive information about the country's refugee population, and he would refer members of the Committee to that report.

Mr. Ahmadu had raised the question of freedom of religion. It was true that article 75 of the Costa Rican Constitution stated that the Roman Catholic religion was the State religion; that article had given rise to lengthy debate on the occasion of his report to the Human Rights Committee. Unfortunately, it was unlikely that the article, which he agreed was discriminatory, would be amended in the near future, but he stressed that, despite its provisions, there was complete freedom in Costa Rica to practise other religions, provided that they were not prejudicial to good order or contrary to the Constitution. In answer to a question on the administration of reservations, he said that reservations were in fact run by associations of indigenous groups.

He agreed with Mr. van Boven that the report had serious shortcomings: it should have contained more statistics, and more information on the black population. He himself was not the author of the report: it had been drafted by the Ministry concerned. All that could be done was to refer it back to the Ministry with the request that it should be redrafted according to the Committee's guidelines. It was all the more difficult for him, as a former member of the Committee, to defend a report which suffered from such deficiencies.

In reply to a further question from Mr. van Boven, he said that Costa Rica had ratified ILO Convention No. 69, and had recently submitted its first report to the ILO providing the information requested under that Convention.

In reply to the question whether steps were being taken to make the Convention more widely known, in particular among the legal profession, he said that, due to Costa Rica's high literacy rate, there was already extensive awareness of all human rights instruments, not only in the legal profession but also at secondary school level. Following the recent regional conference held in preparation for the World Conference on Human Rights, an active information campaign had been launched to increase public awareness of human rights. In Costa Rica, the Inter-American Institute of Human Rights organized conferences and training courses on the subject, some of which he himself had addressed.

Mr. VERNOR MUÑOZ (Costa Rica), in reply to a question from Mrs. Sadiq Ali, said that the Office of the Ombudsman for Human Rights had been set up in March 1990 as a subsidiary organ of the Legal Department of the Ministry of Justice. Its task was to protect the human rights of all persons on the territory of the Republic, not only Costa Rican nationals but also aliens. Its mandate covered certain specific areas, namely the rights of women, children, prisoners, indigenous peoples, senior citizens, and the handicapped, and included not only those human rights enshrined in the Constitution but also those defined in conventions and international instruments ratified by Costa Rica.

The five most important ways in which the Office would intervene were by interceding in respect of threats, obstruction or violations of human rights; by taking preventive measures and making recommendations to the competent authorities; by recommending mandatory sanctions against any officials who violated citizens' rights; by advocating legal reform to strengthen citizens' rights; and finally, by disseminating information on human rights as widely as possible. Where the rights of the child were concerned, the Office had set up a helpline, which was open day and night, to receive complaints from children.

Complaints could be submitted to the Office in writing, verbally or by telephone: there was no formal requirement, as long as the facts were clearly stated. It did not accept complaints submitted anonymously, or in obvious bad faith. The process was simple, and entirely free of charge. Where the complaint involved a public official and was supported by proof, it would be passed on to the official concerned, who would be given a few days to prepare a defence. After an investigation, the Office would hand down its decision. It also provided legal aid for those who could not afford lawyer's fees. Since 1990, the Office had received some 6,000 complaints, denunciations and requests for help: over a two-year period, it had held as many as 50 seminars, designed to increase awareness of human rights issues among police, the teaching profession and the indigenous population.

Mr. RHENAN SEGURA (Costa Rica) informed the Committee, that the inflation rate in Costa Rica was 18 per cent, the gross domestic product (GDP) US$ 4,413 per capita, the unemployment rate 6.2 per cent and the external debt US$ 3,600 million. As elsewhere in Latin America, Costa Rica had severe economic problems and was having to contend with the consequences of structural adjustment programmes. The new President, who had taken office in

1990, was pursuing broadly the same social policies as his predecessor and, despite the economic difficulties, the Government was doing its best to ensure that programmes designed to protect the most disadvantaged groups, i.e. blacks, indigenous peoples, women and children, were continued. The smooth transition from one government to another in Costa Rica was conducive to continuity. Moreover, the fact that Costa Rica did not maintain an army liberated otherwise wasted resources for social programmes.

In conclusion, he assured the Committee that he would convey its comments to his authorities and hoped that the shortcomings observed would be made good in the following report.

Mr. ABOUL-NASR requested some further information on the issue of indigenous populations and their property rights, which seemed to fall short of the provisions of the Convention. In the first instance, the representative of Costa Rica had said that the indigenous populations were "given" the land, which suggested that it might be taken back, whereas the land belonged to them. He had also understood the representative to say that a system of collective ownership was applied to the indigenous populations. If that was correct, the provision was discriminatory, since they were denied the right to own property individually. Moreover, the argument put forward to justify the requirement that Indians must register with the police on leaving a reservation, namely, that it was to protect their property, was not valid in the context of collective ownership. That also raised the question of whether other sectors of the population were required to register when they moved from one place to another.

Did the Ombudsman have the authority to question or challenge discriminatory laws, such as the property laws, with a view to their being amended so as to ensure that all people were treated equally?

Mr. BANTON wished to know whether anything had been done to make good the environmental damage caused by oil exploitation, referred to by the representative of Costa Rica. He also wished to know whether indigenous groups had the same access to compensation as other citizens when they were victims of environmental damage.

Mr. WOLFRUM, referring to Mr. Rhenan Segura's statement that the return of land to the indigenous population did not include mining rights, the explanation given being that that was the system operating in Latin America,

asked whether the exclusion of mining rights applied to all property rights, for instance, in the case of an estate owned by a white person. What exactly was the relationship between the owner of mining rights and the holder of an estate or property?

He would like to know if there was provision for any form of self-government for the Indian people, of the kind operating in Argentina, for example. Of the two organizations for the indigenous peoples, the national commission and the Indian cultural association, only the latter seemed to be fully accepted by the Indian population, and he asked when the Government expected to confer full powers on it so as to meet the wishes of the Indian population.

Mr. SHAHI, referring to the statement in paragraph 67 of the report that the 11 reservations were inhabited by 25,108 individuals, 19,050 of whom were indigenous, wished to know who the 6,000 non-indigenous persons were and whether they had a share in the communal land, the point being that, as he understood it, communal ownership was confined to indigenous inhabitants.

Mrs. SADIQ ALI asked for further information about the role of the Ombudsman. She wished to know whether a government official convicted of a human rights violation was penalized, and what reparations the victim received.

Mr. de GOUTTES, speaking as country rapporteur for Costa Rica, said that it was because the Committee had expected so much of Costa Rica that it had been particularly demanding and had noted so many shortcomings in the report. He thanked the representatives of Costa Rica for acknowledging those weaknesses and for the additional information they had provided. He hoped that the Committee's comments and questions would be taken into account in the following report which, in particular, should be drafted in accordance with the guidelines and should be more narrowly focused on issues of specific interest to the Committee, such as the real situation of ethnic minorities, particularly the Indian and black populations.

Another point of principle, raised by Mr. Aboul-Nasr, concerned the status of the reservations, which was somewhat ambiguous. A reservation could be a place of protection but at the same time one of non-integration and exclusion. It could be a rampart against property seizure but at the same time a focus of underdevelopment. The question of the Indians' participation

in decision-making on the reservations also needed clarifying. The issue of reservations for the indigenous population was a matter frequently addressed by the Committee and called for further discussion.

Mr. RHENAN SEGURA (Costa Rica), replying to further questions raised by Committee members, said that the status of mineral deposits in indigenous areas was covered by article 121 of the Constitution, which provided that they could not be dissociated from the control of the State. In reply to Mr. Shahi's question about the discrepancy in the figures given in paragraph 67 of the report, he said that the persons concerned were only half-Indian as a result of intermarriage.

Mr. VERNOR MUÑOZ (Costa Rica) said in reply to Mr. Aboul-Nasr's comments about apparently discriminatory property laws that the concept of individual property did not exist in Indian society, but was a European concept. From ancient times, the Indians had held property in common. Land was of fundamental importance in their lives. The intention was not to deprive the indigenous populations of their individual property rights, but to give legal force to their own concept of property rights. The State had not given the land to the Indians but had legitimized a de facto situation and found a place in national legislation for Indian ownership of land that belonged to them.

On the question of the Ombudsman's role vis-à-vis the law, he said that the Ombudsman's functions were to consider not laws but human rights enshrined in the Constitution and covenants, treaties and conventions ratified by Costa Rica. In any case, the Constitution took precedence over domestic legislation and any conflict was settled by the competent constitutional courts.

In reply to Mrs. Sadiq Ali's question about reparations, he said that the Ombudsman's activities were administrative only. When it was found that a civil servant had violated a right, he or she would be punished in accordance with the law. In the event of a criminal violation or offence, the offender would be prosecuted and brought to trial, and compensation for the victim would be sought. In such a case, the Office of the Ombudsman monitored any legal proceedings against a civil servant.

Finally, it should be made clear that any indigenous person living in Costa Rica had access to any place in the country. The fact that there was a decree regulating indigenous property did not mean that indigenous persons

could not acquire property elsewhere. The requirements concerning entry to and exit from reservations had been adopted for historical reasons and not to restrict freedom of movement.

Mr. ABOUL-NASR pointed out that the right of individual property ownership was not a strictly European phenomenon. Such a right had been recognized for centuries in many civilizations and could not be taken away.

The CHAIRMAN thanked the representatives of Costa Rica for their constructive dialogue with the Committee.

Mr. Rhenan Segura and Mr. Vernor Muñoz (Costa Rica) withdrew.

Fifth and sixth periodic reports of Bangladesh (CERD/C/192/Add.3)

At the invitation of the Chairman, Mr. Karim (Bangladesh) took a place at the Committee table.

Mr. KARIM (Bangladesh) said that, racially and culturally, Bangladesh had been a melting-pot for thousands of years, and today had a completely homogeneous population. There was no racial discrimination in Bangladesh, since there was but one mixed race and there were no traces of separate racial identity and prejudices.

All the domestic and external policies and actions of Bangladesh were non-racial. In international relations, Bangladesh had always stood against all forms of racial discrimination. It condemned the racist minority Government of South Africa and maintained no diplomatic, political, economic or cultural links with it.

Issues of private preferences and problems of an essentially integrative nature did not come within the definition of racial discrimination under the Convention. In Bangladesh, there were some residual problems of socio-political integration, as in most nation States. Some details had been given in the report about the integrative process in Bangladesh, simply to emphasize the country's success in dealing with the problems of a "post-racial" society. Those facts were necessary to understand the socio-political dynamics of Bangladesh in regard to the marginal problems of national integration and consolidation. The issues of tribal integration and religious tolerance came within the competence of the Commission on Human Rights. Sociologically, there was a distinction between tribe and race. The one, mixed race of Bangladesh comprised many tribes. There was a tribal population of 0.5 per cent, divided into as many as 36 tribes distributed all over the country. Some tiny tribal groups had difficulties, at the

instigation of their foreign mentors, in identifying themselves with the polity of Bangladesh. That was a problem of national integration and nothing else. Marginal problems of tribal terrorism had complicated and hindered democratic dialogue with a view to a political solution.

Religious discrimination was neither permitted nor tolerated in public life in Bangladesh. Issues of religious integration, which did not fall strictly within the Committee's mandate, had been included in the report to demonstrate the Government's awareness of such problems. Bangladesh was in fact far ahead of the basic requirements of the Convention.

Bangladesh had a sincere political will to fulfil its obligations under the Convention. It was fully committed to condemning and opposing racism and racial discrimination. Despite serious resource and other constraints, it remained committed to the reporting system. Its policy was to support and encourage the Committee in the proper discharge of its duties, and it would extend all due cooperation to the Committee.

Mr. YUTZIS, speaking as country rapporteur for Bangladesh, thanked the Government of Bangladesh for its fifth and sixth periodic reports, which largely complied with the formal guidelines for reporting. However, he took issue with the Bangladeshi representative's contention that there was no racial discrimination in his country, if such discrimination was to be understood within the parameters of article 1 of the Convention.

At the same time, it was to be welcomed that, following the departure of an authoritarian Government, democracy had been restored in Bangladesh, despite the continuance of problems to which "poor democracies" were particularly liable, including a high population density, natural disasters, and difficult economic circumstances, which often affected some population groups or minorities more than others.

Turning to the report itself, he said that, in general, he would have preferred to see more ample information on racial discrimination, rather than the "social discrimination" referred to in paragraph 1, although he recognized that the two were interrelated. In particular, he was not sure how the statement in paragraph 1 that "Bangladesh does not recognize any form of social discrimination" could be reconciled with the reference in paragraph 4 to "backward sections of people of different areas and races". If the contention in paragraph 8 that the provisions of the Convention could always be invoked before the courts was correct, was there any reason why the Convention could not be applied automatically?

The demographic details provided with regard to ethnic minorities in paragraph 9, particularly in the Chittagong Hill Tracts, were scanty, and gave little indication of the difficulties and complexities of their situation.

In connection with article 3 of the Convention, he would like to know the grounds for the claim in paragraph 16 that the provisions of that article were not applicable and why no specific legislative, judicial, administrative or other measures had been considered necessary in regard to article 4, as was stated in paragraph 18. In the latter case, it would be interesting to learn whether there had been any public pressure to introduce the provisions covered by article 4.

Did paragraph 20, which dealt with the rights of persons who were arrested, imply that the rule of habeas corpus applied?

Referring to paragraph 23 (2), he said that, at first glance, it appeared to indicate that discrimination might be admissible if it were only partly, rather than exclusively, based on the criteria listed. He would welcome clarification of that important point.

The legal provisions set out in paragraph 42 were admirable, but it would be interesting to learn whether and how they were enforced.

Finally, he would be glad to have more information on the political parties, institutions and associations which, according to paragraph 47, were working to combat racial prejudice, and on the practical measures taken by the Government to that end.

According to the information available to him, which derived from a variety of sources, including reports of the International Labour Organisation (ILO), and annual and specific reports of Amnesty International for 1991 and 1992, there were at least 27 ethnic groups in Bangladesh, 13 of them living in the Chittagong Hill Tracts, an area of some 13,000 km^2. Estimates of the total population, which belonged to the Tibeto-Burmese linguistic family and were for the most part Buddhists, Hindus or Christians, varied between 500,000 and 800,000.

The recent history of those peoples had been one of gradual encirclement and dispossession. The first step had been taken in the late nineteenth century by the British authorities, who had enacted legislation limiting migration to the Hill districts. The construction of a dam in the period 1957-1963 had inundated 54,000 acres, representing 40 per cent of the

cultivable land, and had displaced some 100,000 people, of whom 40,000 to 60,000 were now in India. The period 1979 to 1983 had seen a policy of large-scale settlement by Bengali colonists from the plains. The result had been the further impoverishment and marginalization of the indigenous peoples, a situation which had led to armed uprising.

Guerrilla groups were now active in the Hill Tracts, and the authorities had responded by virtually militarizing the area, so that the ethnic groups found themselves the victims, not only of economic deprivation, but also of institutionalized violence in reprisal for attacks on settlers and military personnel by guerrilla groups. There were an estimated 35,000 or more security troops and police operating in the Hill Tracts, and the Amnesty International reports gave details of widespread torture and other human rights violations. In one recent incident, several hundred defenceless villagers had been murdered in reprisal for the killing by guerrillas of a Bengali soldier.

A policy of forced resettlement had been pursued in the context of the authorities' counter-insurgency strategy. In the areas of resettlement, curfews and restrictions on movement were such that conditions resembled those in military-run camps. The undeclared low-intensity warfare amounted virtually to State terrorism.

Members of the Government of Bangladesh had admitted that the entire policy of settlement had been a mistake and that it had compounded the agricultural problems of the area by increasing pressure on the land. While it must be recognized that Bangladesh was densely populated, solutions to its problems should not be sought in policies which were tantamount to invasion and which violated the human rights of minority groups, including their property rights, transforming them in many cases into landless plantation workers.

Noting that some development projects were funded by the World Bank and implemented by the military, he asked for further information on current Government policy and in particular on what had happened to the special regulation protecting tribal interests, originally enacted by the British in 1900 and, according to paragraph 9 of the report, still operative.

The meeting rose at 1.05 p.m.